

UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE

GRANT STANTON PRODUCE )  
COMPANY, INC., STATE GARDEN, INC., )  
TROPICAL BANANA COMPANY, INC., )  
WALDO H. LAILER & COMPANY, INC. )  
and J. MAHERAS CO., INC., )

Plaintiffs, )

v. )

SANDLER BROS., MARK A. SANDLER, )  
CANDICE O'BRIEN and MARJORIE R. )  
SANDLER, )

Defendants. )

Civil No. 2:08-cv-99-P-S

**APPROVED STIPULATION FOR JUDGMENT AND DISMISSAL  
BY ALL PLAINTIFFS AND DEFENDANTS  
SANDLER BROS., MARK SANDLER AND CANDICE O'BRIEN**

Plaintiffs, Grant Stanton Produce Company, Inc. [hereinafter "Grant Stanton"], State Garden, Inc., [hereinafter "State Garden"], Tropical Banana Company, Inc. [hereinafter "Tropical"], Waldo H. Lailer & Company, Inc. [hereinafter "WH Lailer"] and J. Maheras Co., Inc. [hereinafter "Maheras"], and Defendants Sandler Bros., [hereinafter "Sandler Bros."], Mark Sandler, and Candice O'Brien agree that the following order for judgment shall enter:

**ORDER**

1. Judgment shall enter against Defendant Sandler Bros. for:
  - a. Grant Stanton on Counts I and II of the Complaint in the amount of \$11,823.06, plus interest at the rate of 1.5% per month from August 8, 2008, and costs;

- b. Tropical on Counts III and IV of the Complaint for the sum of \$21,872.51, plus interest at the rate of 12% per year from August 8, 2008, and costs;
  - c. State Garden on counts V and VI of the Complaint for the sum of \$19,762.72, plus interest at the rate of 12% per year from August 8, 2008, and costs;
  - d. W.H. Lailer on Counts VII and VIII of the Complaint for sum of \$54,550.86, plus interest at the rate of 18% per annum from August 8, 2008, and costs;
  - e. Maheras on Counts IX and X of the Complaint for the sum of \$685.03, plus interest at the rate of 12% per annum from August 8, 2008, and costs.
  - f. For each of the Plaintiffs on Count XI of the Complaint for the respective sums awarded on Counts I through X;
  - g. For each of the Plaintiffs on Count XII of the Complaint for their respective pro rata share of \$8,000 based upon the Findings of Fact set forth in paragraphs 17 through 21 above, which amounts are included in the sums awarded on Counts I through X;
- 2. Count XIII of the Complaint is dismissed without prejudice and without costs as to Defendant Sandler Bros.
  - 3. Counts XI through XIII of the Complaint are dismissed without prejudice and without costs as to Defendants Mark Sandler and Candice O'Brien.

Dated at Portland Maine this 24<sup>th</sup> day of December, 2008.

GRANT STANTON PRODUCE  
COMPANY, INC., ET AL,  
PLAINTIFFS  
By Their Attorneys

GREENBERG & GREENBERG

SANDLER BROS., INC., MARK  
SANDLER, AND CANDICE  
O'BRIEN DEFENDANTS  
By Their Attorneys

VERRILL DANA LLP

/s/ Stanley F. Greenberg  
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APPROVED AND SO ORDERED

Dated this 29th day of January, 2009

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/s/ George Z. Singal  
United States District Judge